17815S1N25A - SH-AD-32A (OPES) (4/91)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: June 11, 2004

EXECUTIVE FORCE REVIEW COMMITTEE
POLICY ASSESSMENT
DISPOSITION SHEET

FILE NO: #2091560

FROM: JOHNNY G. JURADO, COMMANDER
MICHAEL G. SAVIDAN, COMMANDER
ROBERT L. BINKLEY, COMMANDER
KENNETH J. BRAZILE, COMMANDER

TO: ERIC B. SMITH, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: GARRIDO, JOSEPH, DEPUTY #[redacted] LENNOX STATION, FOR II

On June 6, 2003, Deputies Garrido and Anthony Leonard were working an unmarked unit tasked with deterring an increasing homicide rate. The deputies observed a Ford sedan with no lights on driving at a high rate of speed and made a traffic stop on the vehicle. After coming to a stop, the driver turned in his seat, looked back in the direction of the deputies and placed the sedan in reverse and rammed the deputies' car. The driver and passenger then began to exit the sedan. The driver pointed a handgun at Deputy Garrido, who was the driver of the unmarked Sheriff's unit. Deputy Garrido, who had started to exit the unit, fired four rounds from his duty weapon at the driver. The driver and passenger then got back into their sedan and sped away. The deputies initiated a pursuit of the sedan until the driver and passenger both fled from the vehicle. The deputies coordinated a containment of the area. The subsequent canine and aero search of the contained area did not locate the suspects.

On April 22, 2004, the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: 3-01/025.00, Use of Force; 3-01/025.30, Use of Firearms and Deadly Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards. Concerning:

3-01/025.00, Use of Force, 3-01/025.30, Use of Firearms and Deadly Force, and 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Garrido was reasonable and necessary and in compliance with Department policy.

3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by the deputies in this incident were within Department Policy.

Johnny G. Jurado, Commander

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MISCELLANEOUS DOCUMENTS

- Range Scores for Deputy Garrido and Deputy Leonnard
- Information on Supplemental Inflatable Restraint (SIR) Air Bag Deployment
- Supplementary Report from Sheriff's Crime Lab
- Sheriffs Department Crime Lab Receipt # J343950
- Print out of Sun and Moon Data for June 19, 2003
- Lennox Sheriff Station In-Service Sheet
- Administrative Rights Forms

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 06-19-2003	Bureau/Station/Facility: LENNOX	Admin. Invest.? ☐	Hit? ☐

Incident Information

URN: 003-05978-0378-055	Date: 06-19-2003 Time: 2250
City or Station: LENNOX	Nature of Incident: Non-hit shooting out of Lennox Station, by Lennox Deputies, after they made a vehicle stop.
Location: 89th Street and Halldale Avenue, Los Angeles	

Location Type (*circle one or more*):	Lighting (*circle only one*):	Incident Type (*circle one or more*):	Initiated by (*circle only one*):
Backyard Beach Business Freeway Industrial Park Parking Lot Residence Rural School **(Street)** Other: ____	**(Darkness)** Daylight Other Street Lights Weather (*circle only one*): **(Clear)** Cloudy Fog Rain Distance: 20 FEET	Accidental **(Armed Person)** **(Fleeing Suspect)** Foot Pursuit Gun Take Away **(Moving Vehicle)** Sniper/Ambush Startle Struggle Involved **(Traffic Stop)** Unarmed Person Unintentional **(Vehicle Pursuit)** Warrant Service Other: ____	Arrest Warrant Call **(Observation)** One Person Unit Other Search Warrant Two Person Unit Prior Activity (*circle only one*): Detective Inmate Transport Other **(Routine Patrol)** Aero Unit? ☒ Canine Unit? ☒
Total # of Shots Fired by Deputy: FOUR (4)	Total # of Shots Fired by Suspect: NONE		

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*):	ShiftType (*circle only one*):
[redacted]	LEONNARD	ANTHONY		EM **(PM)** Day	**(Regular)** Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
NONE				
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*):
[redacted]	TENNEY	STEVEN	M	**(On Duty)** Present during shooting Witness to shooting Involved in shooting
[redacted]	KEPLEY	JOHN	A.	**(On Duty)** Present during shooting Witness to shooting Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	THRALL	JOHANN	W.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	CRUZ	DANIEL	S.

PSTD Use Only

SH # ____________

Officer Involved Shooting

URN: 003-05978-0378-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
06-19-2003	2250	11-04-2003	

Employee #	Last Name	First Name	M.I
[redacted]	HARRIS	JOHN	W
[redacted]	SMITH	RICHARD	G.
[redacted]	JOHNSON	GREG	H.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious

(RM) Refused Med Treatment

(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E# 1	S#1	FH	BR	9	Y	Y	NN	NA
S#1	E# 1	FH					NN	NA

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 003-05978-0378-055

Involved Employee

E 1

Employee # [redacted]	Last Name: GARRIDO	First Name: JOSEPH	M.I.: A.
Sex: M [redacted] WHITE	Rank: Deputy Sheriff	Unit Assignment: LENNOX	Work Assignment (Unit #, Module, etc.): LENNOX PATROL UNIT 38A, PM'S
ShiftTime (*circle only one*): EM (PM) Day — PM circled	ShiftType (*circle only one*): (Regular) Overtime Off Duty — Regular circled	Intoxication/Drug Usage? ☐	Substance Used: NONE
Hospital Admission? ☐	Hospital Name: NONE	Coroner Case? ☐	Coroner Case #: N/A — Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): 8	Clothing (*circle only one*): Plain Clothes no Vest, (Raid Jacket w/ Vest), Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest — Raid Jacket w/ Vest circled	Other Factors:
Age: 29	Height: 5' 10"	Weight: 170	
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit:	Prior Shootings? ☒ — Number of Prior Shootings: ONE
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age:	Height:	Weight:	
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ — Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age:	Height:	Weight:	
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ — Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

INVESTIGATIVE SUMMARY

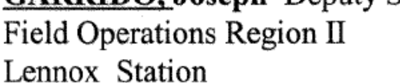
LENNOX SHERIFF STATION
NON HIT SHOOTING
003-05978-0370-055
JUNE 19, 2003

On Thursday, June 19, 2003 Sergeant Harris, Sergeant Smith and Lieutenant Johnson of the Internal Affairs Bureau responded to Lennox Area, after being notified of an on duty, non hit shooting. Deputies Garrido and Leonard were working an unmarked unit (38A), tasked with deterring the increasing number of gang shootings. The Deputies observed a Ford sedan with no lights on, as it crossed Manchester Avenue and proceed west on 87th Street at a high rate of speed. The deputies initiated a traffic stop on the vehicle at 89th Street and Halldale Avenue and observed two males inside of the vehicle.

Upon stopping the sedan, the driver turned in his seat, looked back in the direction of the deputies, placed his vehicle in reverse and intentionally rammed the deputy's car. The male suspects immediately opened their doors and began to get to exit their car. As the driver suspect opened his door, he turned toward Deputy Garrido and pointed a handgun at him. Deputy Garrido the driver of the unmarked Sheriff's unit, had started to exit the unit. Upon seeing the handgun pointed at him, Deputy Garrido fired four rounds from his duty weapon at the driver suspect.

The suspects quickly reentered their car and accelerated away, east on 89th Street. The deputies initiated a vehicle pursuit and pursued the suspects to [redacted] where the driver suspect jumped from the still moving vehicle and ran. The passenger suspect also fled after their vehicle hit a parked car. (1989 Cadillac, California License [redacted]

Deputies set up a containment and requested a K-9 unit to help search for the suspects. The search for the suspects was unsuccessful, with both suspects still outstanding.

INVOLVED PERSONNEL:
GARRIDO, Joseph Deputy Sheriff # [redacted]

Field Operations Region II
Lennox Station

EMPLOYEE WORK HISTORY:
GARRIDO, Joseph

Date of Employment	03-07-1991
Date assigned to Patrol/Custody	[redacted]
Completed Patrol/Custody Training	
Prior Shooting Incident(s)	05-18-2003
Prior Founded Force Incidents	[redacted]

SUSPECTS
1 of 2 Unknown, MB, 18-21, 5'09, 160, short Afro hair style, wearing a blue baseball cap and blue jacket.
2 of 2 Unknown, MB,18-21, 5'09, 160, dark pants and a blue and white jacket.

NO NON DEPARTMENT WITNESSES:
Following the shooting on 89th Street and Halldale Avenue, a canvas of the neighborhood was conducted by Lennox Deputies with no additional witnesses located.

DEPARTMENT WITNESSES
LEONARD, Anthony Deputy Sheriff # [redacted]
Field Operations Region II
Lennox Station


INJURIES:
No injuries to either Deputy Garrido or Deputy Leonard.
No known injuries to either of the out standing suspects.

WEATHER AND LIGHTING CONDITIONS:
Clear, with little or no clouds. Ambient lighting from overhead street lamps. Phase of the Moon on June 19th, 2003: Waning gibbous with 68% of the Moon's visible disk illuminated. (Refer to Miscellaneous Documents. Print-Out from The U.S. Naval Observatory Astronomical Applications Department)

WEAPONS USED BY SUSPECTS:
- **Suspect driver, No weapon recovered.** (Described as a dark colored handgun)
- **Suspect passenger**, **No weapon seen**

WEAPON USED BY DEPUTY GARRIDO:
Service Weapon, Beretta, 92F (Serial Number BER103502Z), Double Action Semiautomatic Pistol, 9mm Luger
Type Of Ammunition- "Winchester Brand" 9 mm Luger
Ammunition- four rounds fired, twelve unexpended rounds left in the magazine
Shell Casings- two 9mm casings were recovered from 89th Street, in the approximate vicinity of where the unmarked unit had stopped, next to the driver's door.(Refer to Photograph # An additional casing was recovered from behind the front seat of the unmarked unit, on the floor board. (Refer to **Exhibit C**- Photograph #10)
Date Employee Last Qualified: [redacted](Mobile Range)
Date Last Trained With Weapon [redacted]

Lab Receipt No. J349350 Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (Refer to Miscellaneous Documents)

GARRIDO, Joseph- Deputy Sheriff # [redacted]
Deputy Garrido said that on 06-19-03, at approximately 2245 hours, he Deputy Anthony Leonard were assigned to Lennox Unit 38A, tasked with impacting gang activity in the Lennox Area. The Lennox Area had been very active with a number of shootings, believed to be gang related. Earlier in the night a [redacted]

> **IAB NOTE:** [redacted]

Deputy Garrido said after leaving the scene of the [redacted] they saw a vehicle, with no lights on, drive across Normandie Avenue at a high rate of speed and continue east. He said when he first saw the vehicle cross Normandie Avenue, he wasn't certain of what street the suspect's had crossed over on, or the make of the suspect's vehicle.

> **IAB NOTE:** After the incident was over, Deputy Garrido drove the same route that they had taken earlier, so that he could identify the streets by name or number.

The suspect's vehicle proceeded west on 87st Street, at 45 to 50 mph and had a good jump on them. He said that they were trying to catch up with the vehicle so that they could run the plate and get an idea of what they were stopping. He said the vehicle was still blacked out as it continued on 87th Street, past Halldale Avenue and then past Dalton Avenue. The suspect's vehicle ran the posted stop at Denker Ave, and may have hit their brakes, as they saw the brake lights flickering. The vehicle continued to La Salle Avenue, were it ran the stop sign and turned left. Deputy Garrido said the vehicle slowed down and they were able to run the license plate. He and his partner wanted to wait for the return, before lighting them up, so that they would have some idea of what they were stopping. He said the return came back and revealed no hits and no wants on the vehicle.

They turned on the unit's forward red light and saw the suspect driver turn around, look over his right shoulder and speed up. Because they were in a slick car, he thought that maybe the suspect driver missed the forward red. He the turned on all of the emergency lights, consisting of the wigwags, the forward red light and the strobe. (Refer to **Exhibit C**- Photograph # 8) The suspect driver then sped up and locking up the brakes, as he turned east onto 89th Street and narrowly missed striking the curb. The suspect driver continued east on 89th Street, and Deputy Leonard broadcasted the 10-33 traffic. The suspect's vehicle crossed Denker Avenue, continued east to Dalton Avenue and he saw the suspect driver look back. The suspect's speed was approximately 60-65 mph as they neared Halldale Avenue and 89th Street. The suspect driver locked his brakes and skidded to a stop.

> **IAB NOTE:** Halldale Avenue and 89th Street is a T-type intersection. (Refer to **Exhibit C**- Photographs #1 and #2)

The unmarked unit was stopped approximately fifty feet behind the suspect's vehicle at this time. He said the suspect driver then put his right arm over the front seat, turned his upper body, looked back in their direction, placed his car in reverse, accelerated and rammed their unit. (Refer to **Exhibit C**- Photograph # 22)When the suspect driver began backing up, he believed that the suspects were going to back up and drive around the unit or give themselves room to make the turn. He said the suspect's vehicle had came to a stop in a north-east direction, just west of the east curb line of Halldale Avenue. When the suspect placed his vehicle in reverse, he saw the rear tires spin as they lost traction. When they were approximately twenty feet in front of them, he knew that the suspect driver intended to ram their car and told his partner to hold on. He said that the rear bumper of the suspect's vehicle, struck the front bumper of their unmarked unit and the suspect's vehicle "bounced forward" after the impact. (Refer to **Exhibit C**- Photograph #7)

He said the vehicles came to rest approximately twenty feet apart. He saw the suspect driver open his door and thought that the suspect's were probably going to run. Deputy Garrido said as soon the suspect driver opened his door, he leaned out of the vehicle and turned in his direction. He doesn't know if the suspect driver's foot touched the ground, but did see his foot and part of his upper torso come out of the car. He saw the suspect driver was holding a gun in his right hand, his arm was extended and the gun was pointing at him.

Deputy Garrido, fearing that the suspect was going to shoot him, fired three to four rounds at him. (**Exhibit C**- 11 and #12)

> **IAB NOTE:** Two expended shell casing where found in the street, on 89th Street, west of Halldale Avenue. One additional expended shell casing was found on the rear floorboard of the unmarked unit. (Refer to **Exhibit C**- Photographs #9 and #10) An examination of Deputy Garrido service weapon, revealed that it contained twelve unexpended rounds, one in the chamber and eleven in the magazine. (Refer to **Miscellaneous Documents**, Lab Receipt # J349350)

The driver suspect, immediately closed his door and drove north on Halldale Avenue to 89th Street, and continued east on 89th Street. Deputies immediately put out additional emergency traffic, advising of a 998 and the suspect's direction of travel. They pursued the suspect vehicle east on 89th Street, across Normandie Avenue, to 88th Street, were it continued east on 88th Street. In the 1200 Block of 89th Street they saw the suspect's vehicle slow down, both doors opened and the driver suspect jumped from the still moving vehicle. The driver suspect then ran north through an apartment complex. The passenger suspect was still in the vehicle until it crashed into a parked car on the north side of 89th Street.(Refer to **Exhibit C**- Photographs #14, #15 and #16) The passenger suspect also escaped from the vehicle and ran north towards residential housing, just east of where the driver had ran. The deputies elected not to chase the suspects and immediately began the task of setting up a containment.

Deputy Garrido said after the suspect's vehicle rammed their unit, he could not fully close his door, which had been sprung from the impact. His partner was unable to open his door (passenger door) which was also damaged from the impact. (Refer to **Exhibit C**- Photographs #3, #4 and #5) He said that when the driver suspect pointed the handgun at him, he though the suspect was going to shoot them. Deputy Garrido said that immediately after the suspect's vehicle stopped, he opened his door and removed his service weapon from its holster. He said it happened so fast, that he is unable to positively identify the type of handgun that the driver suspect pointed at him. He believes that the driver suspect, may have fired a shot at them, but is not certain. He initially pursued the suspect's vehicle, because he believed it was involved in one of the earlier murders, or was at the very least, out for a payback. In addition he said that the driver suspect had operated his vehicle in a reckless manner.

DEPUTY LEONARD, Anthony - Deputy Sheriff #[redacted]

Deputy Leonard said that he and Deputy Garrido had just left the scene of a [redacted] They saw a blacked out vehicle crossing Normandie Avenue and proceeding west on 87th Street. The vehicle appeared to be traveling at a high rate of speed and bottomed out, with sparks flying from the undercarriage as it crossed Normandie Avenue. He and his partner believed that the vehicle was either involved in the [redacted] or were fleeing from an unreported shooting.

He said they knew that as a result of the recent shootings, a payback shooting would follow. He thinks the suspect vehicle was traveling at approximately 60 mph, when it crossed Normandie Avenue.

They followed the suspect's vehicle west on 87th Street and tried to get close enough to run the license plate. Deputy Leonard's account of the suspect's direction of travel is the same as that of his partner, Deputy Garrido. He said that just before La Salle Avenue, he was able to make out the license plate of the vehicle and run it on the unit's MDT. He said the vehicle came back to a Ford sedan out of [redacted] with no wants. He said by the time that the information came back, they where south on La Salle, mid block, just before 89th street. Believing the car had been used in a serious crime, they wanted to know what they had, before making the stop. They activated their forward red light and the driver and the passenger, looked back, then made a hard left turn on 89th Street, continuing east. After the suspects ran the stop on 89th Street, they activated everything on their unit, wigwags, strobe and siren, to make sure the suspect's knew it was the police behind them. The suspects failed to yield, looked back again, and had to slam on their brakes to keep from running into the east curb of Halldale Avenue at 89th Street. The suspect's vehicle came to a stop, and the driver looked back over his shoulder. The driver suspect, then put the car into reverse, backed up and "tried to take them out," by ramming their car. The driver suspect aimed his vehicle directly at them, backing up approximately fifty feet. He said he could hear the tires on the suspect's vehicle breaking traction as the vehicle sped backwards. He said when the suspect's vehicle rammed their unit, they were at a complete stop.

He said immediately after being rammed, both doors of the suspect's vehicle opened and the suspects began to exit their vehicle. Deputy Leonard said he was going for his gun and trying to get out of the car. He said his door was jammed, that he was unable to open it and had to lean outside of his window to cover down on the passenger suspect. When the passenger suspect opened his door, he could see his right arm holding the door open, that he turned towards him, but couldn't see his left hand. He saw the passenger suspect's right knee, but never saw the passenger's suspect left hand. He looked through the windshield of their unmarked unit and saw the driver suspect was pointing a blue steel revolver or automatic, at them. He said it looked as if the driver suspect had brought the handgun from his waist area. He said that he didn't fire his weapon for several reasons. He saw the suspect bring his gun up, but because he was locked in the car he couldn't get the right angle to take the shot. He said that he was also worried that if he took his gun off the passenger suspect, the suspect would run up to the car and shoot them. He reiterated that the passenger suspect was his main concern and that he was afraid that the lag time to engage, could be fatal. He said that when Deputy Garrido fired at the driver suspect, it probably saved their lives. After Deputy Garrido fired on the driver suspect, both suspects immediately got back into their car and drove off, accelerating rapidly. Deputy Leonard said he was stuck in the car and left leaning out of the window. He said they initiated a pursuit and advised units of the 998. When they went into pursuit, immediately after the 998, he was broadcasting on his handheld, which was still on L -TAC, after monitoring traffic from the last [redacted]

They pursued the suspect vehicle east on 89th Street, across Normandie Avenue, to 88th Street, were it continued east on 88th Street. In the 1200 Block of 89th Street the suspect's vehicle slowed down, both doors opened and the driver suspect jumped from the moving vehicle. The driver suspect then ran north through an apartment complex. The passenger suspect remained in the vehicle until it crashed into a parked car on the north side of 89th Street. After the crash, the passenger exited the vehicle and ran north, just east of where the driver had run, toward some houses.

He said that when they stopped, he had to climb out of the front passenger's side window to get out of the car. He said he didn't know if the driver suspect took his gun from the vehicle or if the passenger suspect was also armed. He said they elected not to go into foot pursuit of the suspects, but rather, to set up a containment. He said the total distance from the time they activated their red light, to the time the suspects abandoned their vehicle was a short distance, maybe a mile or less and lasted only a couple of minutes.

INVESTIGATOR OBSERVATIONS:
After being notified of an on duty, non hit shooting, on-call Internal Affairs Investigators arrived at the Lennox Command Post (at 2330 hours) with the situation still very fluid. Lennox Station personnel, with assisting units had set up an area containment. Sheriff K-9 units with additional deputies were conducting a sweep of the area and a Special Enforcement Bureau team was en route to the command post, in anticipation of serving a search warrant. Due to the pursuit culminating in the immediate search area, IAB Investigators did not respond to the termination point on 88th Street. The Sheriff's Crime Lab was requested, and Deputy Vanderschaaf #[redacted]responded. An inspection of the suspect's vehicle by Lennox Detective Messerschmidt and Deputy Vanderschaaf revealed one bullet strike to the driver's door, two bullet holes to the inside of the front windshield and a bullet hole in the dashboard. (Refer to **Exhibit C**-Photographs #11,#18, #19 and #20)

On 07-30-2003 Detective Messerschmidt from Lennox Station O.S.S., along with assistance from S.E.B. and G.E.T., served Search and Ramey Warrants at two different locations. As a result of that service, Anthony Giddens MB/19 and Izear Johnson MB/19 were arrested and charged with the assault on Deputy Garrido and Deputy Leonard. (Refer to **Exhibit A**)

PROPERTY DAMAGE:
Suspects Vehicle: 1989 Ford Thunderbird, Blue 2-door, California License[redacted]rear end damage and front end damage. A bullet hole in the left front (drivers) door and a bullet strike to the interior of the front windshield.(Refer to **Exhibit C**- Photographs #7 and #17)

Parked Vehicle: 1985 Cadillac, California License [redacted] front end damage.

County Vehicle: 1995 Chevrolet, Caprice 4 door, California License 3LQU004, County Equipment # 32641, frame damage.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator:	Detective Curt Messerschmidt [redacted] Lennox OSS
Court:	**Inglewood Court**
Charges Filed	**245(c) P.C. 245(a)(1) P.C.**
Court Date	Felony Compliant # YA 055820, Filed on 08-04-03

ADDENDUM TO INVESTIGATIVE SUMMARY

On 01-13-04 Law Enforcement Technician John E. Scales and Deputy Mark Shirey of Communications and Fleet Management Bureau were contacted in an effort to determine why the air bags in the unmarked patrol vehicle (Co.# 3264) failed to deploy, after being rear ended by the suspect's vehicle. A search of repair and work orders on vehicle # 3264 revealed the following factual information, as verified in **Exhibit D**. County Equipment # 3264, has sustained front end damage on four separate dates.

- Vehicle history shows repairs for major front end damage on 06-30-98, at 31,657 miles. Damage shown as moderate to major to suspension, door panels and idler arms.
- At 64, 000 miles repair, replace front bumper and front end suspension.
- 07-28-03 replace left front door molding, and door shell. Re-Square vehicle. Total cost billed $109.00. Used parts
- 09-22-03 repair replace front bumpers, deck lid, hood and roof.

General consensus is that frame damage normally occurs at speeds of 15 to 25 mph. Additional contributing factors are, Did the vehicle have prior frame damage? (specifically front end), the angle of impact and if prior repairs were made, were the repairs properly done? (absorbers replaced and all bolts replaced) Based on the variables listed above, damage could have occurred at speeds of as slow as 5 mph.

Air bags are designed to deploy only when forward inertia is detected. Normally when the vehicle is struck while stationary, the air bags will not deploy. (Refer to **Miscellaneous Documents**)

In reviewing the shooting with Detective Curt Messerschmidt #[redacted] Lennox OSS, it was discovered that Detective Messerschmidt was in possession of additional crime lab photographs that depicted the suspect's vehicle. Inadvertently these photographs had not been provided to IAB or to this investigator. Four additional photographs #18 thru # 22 have now been included in this review. (Refer to **Exhibit C**) The photographs offer full accounting of the four rounds fired by Deputy Garrido. Further, the photographs indicate that the suspect vehicle was in front and at a slight angle from Deputy Garrido when the rounds struck.

Based on the distance between the points of impact (**Exhibit C** # 19 and #20) it appears that at least two of the rounds were fired in rapid succession, commonly referred to as a double tap.

On 03-10-04, Deputy Garrido was interviewed for a second time, in order to answer questions not adequately addressed in his first interview. Deputy Garrido said that after the suspect's vehicle, backed into their radio car, the cars were separated by a distance of between 20 to 40 feet. He said that it seemed that the cars kinda of bounced apart, with the suspect's vehicle rolling forward in a north east direction.

He said that when the suspect driver opened the driver's door and leaned out, he was illuminated by the left high beam head light of the patrol car. Deputy Garrido said that he fired four rounds, in two bursts of two rounds at a time. He said he fired at the suspect driver, when the suspect pointed a gun at him and held his fire when the suspects drove off. Deputy Garrido is not certain if one of his rounds struck the suspect vehicle driver's door, as the door was being shut by the suspect.

Deputy Garrido said that they were able to catch up with the suspect's vehicle around the 8700 block of La Salle Avenue and run the license plate. He said that they traveled approximately 3/4 of a block before getting a return and activating their red lights. Deputy Garrido said they had been driving with their high beam head lights on, so that their unmarked radio car would not project the normal patrol car silhouette. He said that in the past they have been able to sneak up on suspects, who did not recognize their vehicle as a unmarked unit. He said that after lighting them up, he gave them a minute, before activating all of their vehicles emergency lights.